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Art Thoms, Scott Lungner, and Zachary Hoyer

7 UNITED STATES DISTRICT COURT
8
9 NORTHERN DISTRICT OF CALIFORNIA

10 KEVIN WALKER,) Case No.: C 07 -06205 (TEH)
Plaintiff,) (PROPOSED) ORDER
11 -vs-)
12 CITY OF HAYWARD, OFFICER ART)
13 THOMS, OFFICER SCOTT LUNGER, and)
14 OFFICER ZACHARY HOYER,)
individually and their official capacities;)
15 AMERICAN DISCOUNT SECURITY; and)
DAVID WARDAK aka DAVID WARDUK,)
16 Defendants.

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18 Defendants' Motion to Dismiss came on regularly for hearing on February __, 2008, at
19 10:00 a.m., in Courtroom 12, of the above-referenced court. The tentative ruling not being
20 contested, or alternatively, all parties appearing by way of their respective counsel and good
21 cause appearing therefor:

22 IT IS HEREBY ORDERED that:

- 23 A. Defendants' Motion to Dismiss plaintiffs' fifth and sixth causes of action is
24 GRANTED without leave to amend.
25 B. Defendants City of Hayward, Art Thoms, Scott Lungner, and Zachary Hoyer are
26 hereby dismissed with prejudice from plaintiffs' fifth and sixth causes of action.
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DATED: _____, 2008 _____
JUDGE OF THE UNITED STATES DISTRICT COURT